

REMARKS

Applicant's attorney thanks the Examiner for the careful consideration given to this case. For convenience, the matters raised in the Office action are discussed below in the same order as presented by the Examiner.

In response to item 1 in the action, the Abstract of the Disclosure has been amended herein.

In response to the claim objections in item 2 of the action, each of the matters cited by the Examiner in claims 1, 2 and 3 has been corrected. To that end, the amended claims include upper and lower shafts, left and right roller chains, each shaft bushing has a plate-shaped base portion fixed to an associated roller chain, and the massaging ball roller mount piece has a V-shape formed with side pieces that incline in opposite directions terminating at top ends. In addition, the antecedent basis problems noted in connection with claim 2 have been corrected.

Prior to discussing the specific claim rejections, it is noted that the claims have been amended to emphasize the portable or compact design of the roller drive device. That is, the device may be mounted exclusively within a chair back, separate from the chair seat, as shown in the embodiments of Figs. 8 -

11. To that end, it is also emphasized that the guide slits and roller chains are substantially aligned within the thickness of the frame when viewed in longitudinal section. Also, the gears, roller chains and drive motor are contained within a space corresponding with the frame thickness to provide a compact device that may be incorporated in a chair back apart from the chair seat portion.

Referring to items 4 - 6 of the action, is requested that the Examiner reconsider and withdraw the rejection of the claims under 35 USC 102(e) as anticipated by U.S. Patent 6,039,705 to Wu. Wu does not contemplate a compact device as now defined in the claims. Contrarily, the motor 52 in Wu is mounted remote of the chair back as shown in the patent drawings. Wu does not disclose a device wherein the gears, roller chains and drive motor are contained within "said space corresponding with said frame thickness" as set forth in claim 1.

It is further requested that the Examiner reconsider and withdraw the rejection of claim 1 under 35 USC 102(b) as anticipated by JP 405300925 A to Shimomura et al. as set forth in item 7. It is urged that this patent does not disclose a compact design in accordance with the invention. The motor 4 is mounted

remote of the space containing the guide slit and drive chain as shown in Fig. 1. That is, the guide slit 22 and the chains 14, 15 do not overlap when viewed in longitudinal section as in the claimed device. Also, this patent fails to disclose guide rollers contained within the guide slits 22, 23.

Referring to item 8, the rejection of claim 1 under 35 USC 102(b) as anticipated by JP 406165802 A to Yamamoto is in error and should be withdrawn. This patent discloses a roller drive device mounted in both the back and lower portion of the chair. As particularly shown in Fig. 2 of the patent, the roller device elements are mounted below the seat portion 1 of the chair. Also, the guide slits and chains are not aligned as viewed in longitudinal section. Accordingly, this patent does not teach a compact device as defined in the amended claims.

Referring to items 9 - 11, the rejection of claims 3, 9 and 14 under 35 USC 103(a) as unpatentable over Wu in view of U.S. Patent 6,224,563 to Nonoue et al. is in error for the same reasons as set forth above. Nonoue et al. is particularly cited with respect to the massaging ball roller mount piece and, therefore, the deficiencies of the Wu patent are not remedied by the '563 patent. Further, the Nonoue et al. patent

separates the guide rails 22, 22 from the screw rod 30 as viewed in section in contrast with the compact configuration of the claimed invention.

For the same reasons as set forth with respect to item 11, the further rejections set forth in items 12 and 13 are also overcome.

It is requested that the Examiner reconsider and withdraw the rejection of claims 5, 10 and 12 under 35 USC 103(a) as unpatentable over Wu in view of U.S. Patent 5,429,585 to Liang as set forth in item 14. The Liang patent is cited in connection with the bucket-shaped body portion and, accordingly, does not remedy the deficiencies of Wu as discussed above. It is further urged that Liang discloses a vibration cushion and not a roller massage unit as set forth in the claims. It is not obvious to modify a roller massage arrangement in view of a vibration unit having significantly different mechanical elements. Furthermore, there is no motivation or suggestion for the combination of such diverse arrangements.

The rejection in item 15 of claims 6, 13 and 15 under 35 USC 103(a) over Wu alone is overcome for the reasons noted above. It is further emphasized that Wu does not include his motor within the space

corresponding with the frame thickness as set forth in the claims.

Referring to item 16, the rejection of claims 7, 16 and 18 under 35 USC 103(a) as unpatentable over Wu in view of U.S. Patent 5,462,515 to Tseng is in error for the same reasons as noted above. The Tseng patent is particularly cited in connection with the legless chair limitations. In this regard, it is emphasized that Tseng does not contemplate a roller action device, but rather, is concerned with vibration type massage. Accordingly, there is no motivation nor suggestion of the combination so as to result in the claimed invention.

The further rejections set forth in items 17 and 18 of the action merely combine the Liang and Tseng teachings with those of Wu/Nonoue. Accordingly, the deficiencies of the combined teachings are not overcome for the reasons noted above.

For all of the foregoing reasons, it is respectfully submitted that all of the claims presently of record are in condition for final allowance and such action is requested.

If there are any further fees required by this amendment not covered by the enclosed check, or if no check is enclosed, please charge the same to Deposit Account No. 16-0820, Order No. 34307.

Respectfully submitted,

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